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DOCKET NO. 17224 CON(AP)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of
John Sefton

Serial No: 10/820,298

Filed: April 7, 2004

For: TAZAROTENE AND
CORTICOSTEROID TREATMENT FOR
PSORIASIS

Group Art Unit: 1617

Confirmation No: 7456

Examiner: Badio, Barbara P

CERTIFICATE OF FAX TRANSMISSION	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED TO THE CENTRAL FAX NUMBER 571-273-8300, ON <u>9/7/</u> 2005 (Date) Name of person making deposit: <u>Bonnie Ferguson</u>	
Signature: <u>Bonnie Ferguson</u>	Date <u>9/7/2005</u> <u>12 PAGES</u>

Honorable Commissioner of Patents and Trademarks
Alexandria, Virginia 22313-1450

BRIEF ON APPEAL

Dear Sir:

This appeal is taken from the final rejection of all of the claims in an Examiner's action mailed May 20, 2005. Oral hearing is waived.

(1) REAL PARTY IN INTEREST

This patent application is assigned to Allergan, Inc, having its principal place of business at 2525 Dupont Drive, Irvine, CA 92612.

The application was originally assigned to Allergan Sales, Inc. via an assignment document recorded at Reel/Frame 011144/0193 on August 22, 2000.

Allergan Sales, Inc. (merged into Allergan Sales LLC 6/3/2002) assigned the application to Allergan, Inc. via an assignment document recorded at Reel/Frame 013898/0170 on April 7, 2003.

17224 CON (AP) Brief on Appeal
Serial No. 10/820,298

9/7/05

See Ferguson

In summary, the Office Actions have failed to provide any reasonable ground for rejecting Applicant's showing of unexpected results, and removal of the obviousness rejection is proper.

In view of the above, the Board is asked to reverse the Examiner's holding of all of the pending claims as unpatentable and direct the Examiner to pass the claims to issue.

Respectfully submitted,

Brent A. Johnson

Brent A. Johnson

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